

PCT

25 JAN 2005

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(Article 36 and Rule 70 of the PCT)

Applicant's or Agent's File No. **PROCEDURE TO FOLLOW** see notice of transmission of the
International preliminary examination
PCT/IPEA/416

International Application No.
PCT/FR 0350019

Date of international filing (day/month/year)
21/07/2003

Priority Date (day/month/year)
24/07/2002

International Patent classification (CIB) or both national classification and CIB

Filed by

TOTAL IMMERSION et al.

1. The present international preliminary examination report, written by the administration in charge of the international preliminary examination, is sent to the applicant in accordance with Article 36.

2. This REPORT comprises 5 pages, including the present cover page.

[x] It is accompanied by ATTACHMENTS, i.e., pages of the description, claims or drawings which have been modified and which serve as the basis of the present report, or pages containing corrections made by the administration in charge of the international preliminary examination (see rule 70.16 and instruction 607 of Administrative Instructions of the PCT.)

These attachments include 9 pages.

3. The present report contains indications and corresponding pages relative to the following points:

I. [x] Base of Opinion

.....

.....

V [x] Declaration giving reasons according to rule 66.2(a)(ii) as to novelty, inventive activity and the possibility of industrial application; citations and explanations in support of this declaration.

Date of submission of the request for international preliminary examination

24 Feb. 2004

Date of completion of this report: 6 Oct. 2004

Authorized officer: de Dieuleveult, A

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/FR 0350019

I. Basis of report

- 1 As regards the **elements** of the international application (*the replacement pages sent to the receiving office in response to an invitation made in conformity with Article 14 are considered, in the present report, as "initially filed" and are not annexed to the report since they do not contain any modifications (rules 70.16 and 70.17):*

Description, pages

1 - 26 as initially filed

Claims, No.

1 - 26 received 17 Sept. 2004 with letter of 15 Sept. 2004

Drawings, sheets

1/6 - 6 / 6 as initially filed

2. As regards **language** all the items listed above were available to the administration where they had been sent in the language in which the international application was filed, unless otherwise given under this point.

These items were available to the administration where they were put into the following language, which is:

[LEFT BLANK]

3. [LEFT BLANK]

4. [LEFT BLANK]

5. [LEFT BLANK]

6. [LEFT BLANK]

V. Declaration with explanation per Article 35(2) as to novelty, inventive activity and the possibility of industrial use; citations and explanations in support of this declaration.

1. Declaration of Novelty: Yes: Claims 1 - 26

Inventive activity Yes: [blank]
No: Claims 1 - 26

Industrial applicability Yes: Claims 1 - 26
No: [blank]

2. Citations and explanations

see separate page

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/FR 0350019

V. Declaration with explanation

1. Reference is made to the following documents:
D1: US-A-5,227,863 (Bilbrey et al.) July 13 1993
D2: WO-A-00/30040 (APPLE COMPUTER) May 25, 2000
2. Claim 1:
Document S1, which is considered as the state of the art nearest the subject of claim 1, describes a process permitting visual interactions to be displayed, between a synthetic image flow and a flow of video images (see column 1, line 47-66; col. 2, l. 8-11; col. 14, l. 49 - col. 15, l. 2, in particular: "The input module supports capture of an image from an internal source which may be ... virtually any device that can generate a component RGB video signal" and "the effects ... utilize static images, animated computer graphics, or real-time video sources"; col. 16, l. 39 - col. 17, l. 8 and particularly "Video mixing allows the video to appear to overlay or go behind other video sources"; and claim 76) using a large ordinary PC comprising:
 - a motherboard (see col. 3, l. 65-66);
 - a graphic board (see col. 3, l. 67 - col. 4, l. 6);
 - a video acquisition integrated into the said graphic board or through a dedicated acquisition board (see col. 4, l. 62 - col. 5, l. 11; and col. 17, l. 9-26).

The characteristics which are not explicitly described in document D1 seem nevertheless to be evident for the man of the art.

Moreover, reference is made to document D2 which likewise describes a processor for generating synthetic images comprising image and texture data. Interaction with the flow of video images does not seem, however, to be mentioned in D2.

The present application therefore does not satisfy the conditions stated in art. 33(1) PCT, and the subject matter of claims 1 and 14 do not imply any inventive activity as described by Article 33(3) PCT.

3. Claim 14:
The same argument applies *mutatis mutandis* to the subject of the corresponding independent claim, which is therefore no longer inventive.
4. Claims 2-13 and 15-26
 - 4.1 The dependent claims do not contain any feature which, in combination with those of any one of the claims to which they refer, defines an object that satisfies the requirements of the PCT as regards inventive activity.
 - 4.2 Claims 5, 10, 12, 13, 18, 23, 25 and 26 involve a feature between parentheses. They are not clear, therefore, and do not satisfy the conditions required in Art. 6 PCT to the extent that the object for which protection is requested is not clearly defined.

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/FR 0350019

I. Basis of report

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2. As regards **language** all the items listed above were available to the administration where they had been sent in the language in which the international application was filed, unless otherwise given under this point.

These items were available to the administration where they were put into the following language, which is:

[LEFT BLANK]

3. [LEFT BLANK]

4. [LEFT BLANK]

5. [LEFT BLANK]

6. [LEFT BLANK]

V. Declaration with explanation per Article 35(2) as to novelty, inventive activity and the possibility of industrial use; citations and explanations in support of this declaration.

1. Declaration of Novelty: Yes: Claims 1 - 26

Inventive activity Yes: [blank]
No: Claims 1 - 26

Industrial applicability Yes: Claims 1 - 26

GRYN 213 (10500363)

No: [blank]

2. Citations and explanations

see separate page

International application No. PCT/FR 0350019

1. Reference is made to the following documents:

D2: WO-A-00/30040 (APPLE COMPUTER) May 25, 2000

Document S1, which is considered as the state of the art nearest the subject of claim 1, describes a process permitting visual interactions to be displayed, between a synthetic image flow and a flow of video images (see column 1, line 47-66; col. 2, l. 8-11; col. 14, l. 49 - col. 15, l.2, in particular: “The input module supports capture of an image from an internal source which may be ... virtually any device that can generate a component RGB video signal” and “the effects ... utilize static images, animated computer graphics, or real-time video sources”; col. 16, l. 39 - col. 17, l. 8 and particularly “Video mixing allows the video to appear to overlay or go behind other video sources”; and claim 76) using a large ordinary PC comprising:

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Moreover, reference is made to document D2 which likewise describes a processor for generating synthetic images comprising image and texture data. Interaction with the flow of video images does not seem, however, to be mentioned in D2.

The present application therefore does not satisfy the conditions stated in art. 33(1) PCT, and the subject matter of claims 1 and 14 do not imply any inventive activity as described by Article 33(3) PCT.

The same argument applies *mutatis mutandis* to the subject of the corresponding independent claim, which is therefore no longer inventive.

4.1 The dependent claims do not contain any feature which, in combination with those of any one of the claims to which they refer, defines an object that satisfies the requirements of the PCT as regards inventive activity.

- 4.2 Claims 5, 10, 12, 13, 18, 23, 25 and 26 involve a feature between parentheses. They are not clear, therefore, and do not satisfy the conditions required in Art. 6 PCT to the extent that the object for which protection is requested is not clearly defined.